

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
§
VS. § CRIMINAL NO: 4:24-CR-543-2
§
JOHN SBLENDORIO §

MOTION TO DISCOVER EXISTENCE
AND IDENTITY OF INFORMANT

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, JOHN SBLENDORIO, Defendant by and through his attorney, Anthony P. Troiani and files this Motion to Discover Existence and Identity of Informant and in support thereof would respectfully show unto the Court the following:

I.

Defendant does not know whether or not the Government received any information about this cause from an informant. Defendant does assert, however, that he is entitled to know whether or not the Government did receive any information about this case from an informant. This information is essential to the defense because if there is an informant in the case, the Defendant is entitled to

develop the facts to show that the identity of the informant is required and that they would be a material witness in the case.

II.

If the Government did receive any information about this case from an informant, the Defendant request that said informant's name and address be furnished to Defendant so that the Defendant might issue a subpoena for said informant. Without the name and address of the informant, if any, Defendant will be deprived of his rights to subpoena a material witness to the alleged crime; will be denied the right to cross examination of his accusers; will be denied the right to a fair and impartial jury trial wherein all evidence is developed; will be denied due process of law and will be denied effective assistance of counsel all in violation of the law and Constitution of the United States.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that the Court instruct the U.S. Attorney to state to the Defendant and to the Court whether or not the Government has received any information about this case from an informant, and if such answer is in the affirmative that the U.S. Attorney be instructed to furnish to the attorney for Defendant the name of said informant and the address of place where said informant may be served with subpoena. In the alternative Defendant prays that the U.S. Attorney be required to tender the informant to the Court in Chambers and the court out of the presence of the

Defendant and the Government inquire of the informant on the record about this knowledge and course of knowledge about the offense herein charged to determine if his testimony is material to the guilt or innocence of the Defendant.

If the Court finds informant's testimony material, Defendant again prays that the informant be made available to Defendant at time of trial. If the Court finds that the informant's testimony is not material either to the guilt or innocence of the Defendant. Defendant's then prays that the Court's in camera inquiry sealed and interrogation of the informant be reduced to writing, sealed and made a part of the record on appeal.

Respectfully submitted,

By: /s/ Anthony P. Troiani
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JOHN SBLENDORIO

CERTIFICATE OF SERVICE

I, Anthony P Troiani, Attorney for Defendant, JOHN SBLENDORIO hereby certify that a true and correct copy of said Motion to Discover Existence and Identity of Informant has been served on to Hon. Byron Black, Assistant United States Attorney at 1000 Louisiana, Suite 2300, Houston, Texas 77002 on this the 8th day of November 2024.

/s/ Anthony P. Troiani
Anthony P. Troiani

CERTIFICATE OF CONFERENCE

Counsel conferred with the Government on November 7, 2024, and the Government is opposed to the filing of this motion.

/s/ Anthony P. Troiani
Anthony P. Troiani